

COMPREHENSIVE PLAN AMENDMENT and CONCURRENT ZONING
CPA #2007-M-07, DUVALL AVE
PUBLIC HEARING FINAL ISSUE PAPER – (REVISED July 20, 2007)

DESCRIPTION:

The subject area is located immediately north of the NE Sunset Boulevard Corridor District and west of Duvall Avenue NE along the eastern edge of an existing 7.6-acre island of unincorporated King County. Initially, this Comprehensive Plan Amendment (CPA) was proposed by a property owner whose property fronts on Duvall Avenue NE. However, the City Council agreed to make this a City-sponsored application and waived the application fee. The original applicant had requested that the existing Residential Single Family (RS) land use designation be changed to Commercial Corridor (CC) so that three properties fronting on Duvall Avenue NE and one interior property could have the same zoning as those across the street to the east (Exhibit 1). This 7.6-acre island is part of an active annexation proposal, the Marshall Annexation.

ISSUE SUMMARY:

- Should the City redesignate the single-family properties along the west side of Duvall Avenue NE between NE Sunset Boulevard and NE 17th Place to commercial?
- If the Planning Commission decides it is appropriate to change the existing RS designation to a commercial designation, which of the two potential designations, Commercial Neighborhood (CN) or Commercial Corridor (CC), would be most appropriate for this area?

RECOMMENDATION SUMMARY:

Staff recommends denial of the request to change the Comprehensive Plan Land Use Map designation for the parcels fronting on Duvall Avenue NE from RS to CC or CN for the following reasons:

1. Although there is new residential in the surrounding area, it has not been shown that there is currently insufficient neighborhood commercial property in the surrounding area to meet demand. NE Sunset Boulevard is a designated commercial overlay district and contains a variety of both large and small consumer oriented uses.
2. The impacts of the widening of Duvall Avenue NE on the adjacent subject properties is unknown in terms of whether residual lot depths are sufficiently viable to accommodate commercial uses, meet required setbacks and off-street parking, and provide safe ingress and egress. For this reason, a change of land use is untimely.
3. The widening of Duvall Avenue NE will be a significant change of circumstance affecting this entire residential area. Land use in this vicinity should be re-evaluated after completion of this major public works project.

ANALYSIS:

Existing uses are one-story single-family detached dwellings on 8,000 to 11,000 square foot lots. King County's Comprehensive Plan designates the subject area Urban Residential, Medium, 4 to

12 dwelling units per acre, and it is currently zoned R-4, four units per gross acre (Exhibit 3). Renton's Comprehensive Plan designates the subject area RS (Exhibit 4). The original application requested Commercial Arterial (CA) zoning consistent with that across Duvall Avenue NE to the east and along NE Sunset Boulevard to the south (Exhibit 5). The area has no steep slopes of other sensitive areas and only slight changes in topography near the intersection of SE 107th Place and Duvall Avenue NE (Exhibit 7).

Because the site is located within a proposed major arterial road-widening project involving acquisition of land and frontages for right-of-way improvements, City staff recommended that this CPA be changed to a City-sponsored application and that the fee be waived. Council considered this on December 11, 2006, and agreed. As a City-sponsored CPA, staff determined that only the lots fronting on Duvall Avenue NE should be considered. An interior lot on SE 107th Place was dropped since it did not meet the minimum mapping criteria. The parcels included in the revised City proposal area shown on Exhibits 8 and 9. Portions of the parcel frontages are now being purchased by the City for right-of-way expansion of the Duvall Avenue arterial.

On May 10, 2007, the City held an information meeting on this proposed amendment and invited property owners within the larger Marshall Annexation Area. Approximately thirteen residents representing ten households attended. One property owner favored commercial zoning and the majority opposed it. Several owners did not indicate a position. The majority were concerned about noise and parking impacts to their residences. There also were a number concerned about ingress to and egress from their neighborhood and how new commercial and the roadway widening would impact safety.

As shown on Exhibit 9, under Renton's Comprehensive Plan, the subject area is currently designated RS. Probable zoning, upon annexation, without a Comprehensive Plan amendment would be R-8, eight dwelling units per net acre. Across Duvall Avenue NE to the east (south of NE 18th Street, if extended), the area is currently designated CC and zoned CA. Immediately south of the 7.6-acre unincorporated island, the properties fronting on NE Sunset Boulevard are also currently designated CC and zoned CA.

Duvall Avenue NE is designated as a "minor" arterial in the Transportation Element of the Comprehensive Plan. It appears that the proposed road widening along Duvall Avenue NE, south of NE 17th Place, if extended, could impact and potentially lessen the redevelopment potential of property fronting on this designated minor arterial. Changes include a proposed 10-foot street widening along both sides of Duvall Avenue NE that will narrow the frontages of the properties on the west side of the street. With current front yards varying in depth between two feet and 30-feet, widening will impact the five residential properties along the street south of NE 17th Place in different ways. Potential impacts include increased noise, pollution, nighttime glare, and a general loss of privacy. This change would also make it more difficult to provide adequate parking and ingress and egress for commercial uses along this busy north-south minor arterial.

Renton's Comprehensive Plan includes two potential commercial land use designations that could be considered for these five parcels. These are:

1) Commercial Corridor:

Purpose Statement: *The Commercial Corridor is characterized by concentrated, pre-existing commercial activity, primarily in a linear urban form, that provides necessary goods and services for daily living, accessible to nearby neighborhoods, serving a sub-regional market and accommodating large volumes of traffic.*

(Commercial Statement, Land Use Element, p. IX-54). The implementing zone for this designation is Commercial Arterial.

2) Commercial Neighborhood:

Purpose Statement: *The purpose of Commercial Neighborhood is to provide small scale, low-intensity commercial areas located within neighborhoods and is primarily for the convenience of residents who live nearby. Uses should be those that provide goods and services.* (Commercial Neighborhood Statement, Land Use Element, p. IX-67). The implementing zone for this designation is Commercial Neighborhood.

Table 1. Relevant Commercial Land Use Designation Objectives and Policies

COMMERCIAL CORRIDOR	COMMERCIAL NEIGHBORHOOD
<p>Objective LU-DDD: The Commercial Corridor land use designation should include:</p> <ol style="list-style-type: none"> 1) Established commercial and office areas; 2) Developments located on large parcels of land; 3) Projects that may be highly visible from principal arterials; 4) Uses dependent upon or benefiting from high-volume traffic; 5) Uses that provide significant employment; and 6) Businesses that provide necessary or desirable goods and services the larger community 	<p>Objective LU-WWW: Commercial Neighborhood designated areas are intended to reduce traffic volumes, permit small-scale business uses, such as commercial/retail, professional office, and services that serve the personal needs of the immediate population in surrounding neighborhoods.</p>
	<p>Policy LU-422. The Commercial Neighborhood designation should be implemented by Commercial Neighborhood zoning.</p>
<p>Policy LU-333. The Commercial Corridor land use designation should be mapped in areas with the following characteristics:</p> <ol style="list-style-type: none"> 1) Located on, and having access to, streets classified as principle arterials; 2) High traffic volumes; or 3) Land use pattern characterized by strip commercial development, shopping centers, or office parks 	<p>Policy LU-423. Commercial Neighborhood designated areas should be located:</p> <ol style="list-style-type: none"> 1) Within one-quarter mile of existing and planned residential areas; 2) To the extent possible, outside of the trade areas of other small-scale commercial uses offering comparable goods and services; and 3) Contiguous to a street no smaller than those classified at the collector level.

COMMERCIAL CORRIDOR	COMMERCIAL NEIGHBORHOOD
Policy LU-335. Increased demand for commercial uses should be accommodated primarily through redevelopment and intensification of existing business area designations rather than expansion of those areas.	Policy LU-424. Commercial Neighborhood designated areas should not increase in scale or size to the point of changing the character of the nearby residential neighborhood.
Policy LU-348. Encourage consolidation of individual parcels to maximize flexibility of site design and reduce access points.	Policy LU-426. A mix of uses (e.g. convenience retail, consumer services, office, residential) should be encouraged in small-scale commercial developments within Commercial Neighborhood designated areas.
Policy LU-349. Support development plans incorporating the following features: <ol style="list-style-type: none"> 1) Shared access points and fewer curb cuts; 2) Internal circulation among adjacent parcels; 3) Shared parking facilities; 4) Allowance for future transition to structured parking facilities; 5) Centralized signage; 6) Unified development concepts; and 7) Landscaping and streetscape that softens visual impacts. 	Policy LU-430. Commercial structures in Commercial Neighborhood designated areas should be compatible with nearby residential areas in height, front yard setbacks, lot coverage, building design, and use.

Relevant land use policies for the RS land use designation are shown below.

Policy LU-147. Net development densities should fall within a range of 4 to 8 dwelling units per net acre in Residential Single Family neighborhoods.

Policy LU-148. A minimum lot size of 5,000 square feet should be allowed on parcels less than an acre in size. On parcels greater than one acre in size, allow a reduction in lot size to 4,500 sq. ft. to create an incentive for aggregation of land.

Policy LU-150. Required setbacks should exclude public or private legal access areas, established through or to a lot, and parking areas.

Table 2 compares the different development criteria and types of uses allowed in the implementing zones of the CC, CN, and RS land use designations. Where existing development patterns are established in an area, a review of potential future zoning can also be informative.

Table 2. Commercial Land Use Designation/Residential Implementing Zones

	Commercial Arterial	Commercial Neighborhood	Residential-8
Minimum Lot Size	None	5,000 square feet	4,500 square feet
Maximum Lot Coverage	65% unless in bldg. or garage	65% unless in bldg. or garage	50% unless in bldg. or garage
Minimum/Maximum Residential Density	None/20 dwelling units per net acre	None/4 dwelling units per net acre	4/8 dwelling units per net acre
Minimum/Maximum Front Yard	10 feet	10 feet/15 feet	15 feet for primary structure
Minimum Rear Yard	None, unless abutting or adjacent to a residential zone, then 15 feet	None, unless abutting or adjacent to a residential zone, then 15 feet	20 feet
Minimum Side Yard	None, unless abutting or adjacent to a residential zone, then 15 feet	None, unless abutting or adjacent to a residential zone, then 15 feet	5 feet
Vehicular-Oriented Uses Allowed	Gas stations, Vehicle service and repair, Car washes, Restaurants, Professional Office Buildings	Small restaurants, Small offices	None

Based upon the above, it would initially appear that there is little difference between the implementing zones for these two land use designations in terms of minimum lot size and required setbacks. Although there is no minimum lot size specified for the CA zone, the scale and vehicular-orientation of uses within it typically dictate larger lot sizes than those under consideration along the west side of Duvall Avenue NE. Typically, CA zoned lots are 20,000 square feet or larger in size and 35,000 square feet is not uncommon for most drive-in type of businesses such as quick-stop markets and service stations. By comparison, the existing residential parcels fronting on Duvall Avenue NE are 9,000 to 11,000 square feet in size and between 104 feet and 110 feet in depth. Future street widening will reduce these to an average depth of around 97 feet. These much smaller sized lots would not lend themselves to the larger, more vehicular-oriented uses such as car washes, gas stations, vehicle repair, and fast food establishments allowed in the CA zone under the CC land use designation. These smaller lots appear more suitable for those smaller scaled, less vehicular-oriented convenience and service type uses found in the CN zone and encouraged in CN designation land use policies.

The properties to the east, across Duvall Avenue NE, currently designated CC on the City's Comprehensive Plan, average 157-feet wide and 230-feet deep. In terms of size, these parcels average 36,000 square feet or larger in size. This is equivalent to an aggregation of nearly four of these existing residential zoned, 9,000 to 11,000 square foot lots fronting on Duvall Avenue NE. Lots with these dimensions along the west side of Duvall Avenue NE, in the area under consideration, could only be created by assembling three or four of the existing single-family lots found here and would have to be at least two parcels deep. Given the quality of the homes in the

area and multiple ownership patterns found there, it does not seem likely that these would be consolidated into larger single parcels under the same ownership in the near future.

As noted above, the area is currently under consideration for annexation. If this annexation is successful, the County's current R-4 zoning, that allows up to six units per gross acre, would be rezoned to Renton's R-8 zoning which allows a maximum of eight units per net acre. The difference between the County's and the City's maximum density is minimal since the City calculates density based upon net acreage and the County calculates it based upon gross acreage.

In considering a land use redesignation for the parcels fronting on Duvall Avenue NE, it also is important to look at them in the context of the surrounding area. The residential uses that would remain to the west are all single-family detached dwellings fronting on what appear to be private access roads. SE 107th Place lacks typical urban street improvements such as curbs, gutters, and sidewalks. This unincorporated area remains on septic, as do the lots fronting on Duvall Avenue NE. Because of the lack of sewers, major new development will not occur until sewer service is provided within the area.

CONCLUSION:

Although there has been continued residential growth in the surrounding area as a consequence of new annexations and the issuance of sewer certificates for new subdivisions that might justify additional neighborhood-oriented retail and services in the area, there is no indication that there is a current lack of these services in the area at this time. Clearly, the subject parcels would not lend themselves to CA zoning under the CC land use designation. A more appropriate land use redesignation would be from RS to CN for those parcels fronting on Duvall Avenue NE. However, with the widening of Duvall Avenue NE later this year or early next year, it is unclear whether the existing five parcels fronting on Duvall Avenue NE would have adequate access from this heavily traveled arterial (there apparently is no left turn pocket proposed for SE 107th Place) or whether after the road widening, there would be sufficient space for street frontage landscaping (10 feet) and setbacks from adjacent residential uses (15 feet), or on-site parking, if such commercial uses were allowed. Given that there does not appear to be a significant demand for new retail at this time, nor has it been determined what effect on the existing adjacent residential uses new commercial would have, staff believe this proposed CPA is untimely.